

Appl. No. : 08/942,005
Filed : October 1, 1997

A statutory double-patenting rejection under 35 U.S.C. § 101 requires that the same invention be claimed. “ ‘Same invention’ means identical subject matter.” M.P.E.P. § 804. A method and an apparatus are not identical subject matter. Thus, the rejection should be withdrawn.

Discussion of § 102 Rejections

The invention, as recited in amended Claim 1, displays a plurality of alert types to a user in a graphic display. The manager system recited in Claim 1 allows the user to select or deselect an alert type in the graphic display. Support for the graphic display of alert types is found in Figure 4A and in the specification at page 17, line 10 to page 19, line 9. The selection or deselection enables or disables the future display of alerts corresponding to the alert type.

Dev neither teaches nor suggests the use of a graphic display to allow the user to select or deselect alert types. Dev discloses that the user may use filtering criteria to disable the display of events. However, Dev fails to disclose a graphic display to allow the user to select alert types to be disabled or enabled.

Since Dev fails to teach or suggest each element of amended Claim 1, Claim 1 is not anticipated by Dev. Accordingly, Claim 1 is patentable. Claims 2-12 depend, either directly or indirectly, from Claim 1 and are, therefore, patentable for at least that reason as well as for additional features when those claims are considered as a whole.

Claims 13, 22, 25, 34 and 35 also recite a graphic display to allow the user to selectively disable or enable an alert or a notification. Accordingly, Claims 13, 22 and 25 are also not anticipated by Dev and are, therefore, patentable. Further, Claims 14-21, 23-24 and 26-33 depend from patentable Claims 13, 22 and 25, and are, therefore, patentable for at least that reason as well as additional features.

Discussion of § 103 Rejections

Since the claims rejected under § 103 are dependent claims, their rejections are also obviated by the claim amendments to the independent claims from which they respectively depend.

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In view of the foregoing amendments and remarks, all claims are believed to be in condition for allowance, and such allowance is earnestly solicited. If any issues remain to be resolved, the Examiner is invited to contact the undersigned to promptly resolve any such issues.

Respectfully submitted,

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Dated: 12/20/00

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